

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RAJ CHRISTOPHER GUPTA,

Plaintiff, 2:00-cv-1095-GEB-GGH-P

VS.

C.A. TERHUNE, et al.,

Defendants. ORDER

Plaintiff is a former state prisoner proceeding pro se and in forma pauperis with a civil rights action pursuant to 42 U.S.C. § 1983. On May 17, 2006, judgment was entered in favor of defendants following a jury trial. On May 24, 2006, plaintiff filed a notice of appeal.

Pending before the court is plaintiff's June 8, 2006, motion for transcripts at government expense. 28 U.S.C. § 753(f) provides that “[f]ees for transcripts furnished to...persons permitted to appeal in forma pauperis shall...be paid by the United States if the [bankruptcy] judge or [district] judge certifies that the appeal is not frivolous (but presents a substantial question).”

In his notice of appeal, plaintiff states that he is appealing the following issues: 1) the orders filed November 15, 2000, June 14, 2004, February 1, 2005, and August 20, 2005; 2) the March 31, 2006, pretrial order denying plaintiff's request for a court appointed expert; 3) the

1 March 31, 2006, order denying plaintiff's request to use a to-scale floor plan; 4) various trial
2 court errors during trial.

3 After reviewing the record, the court does not find that plaintiff's appeal presents
4 a substantial question.

5 Accordingly, IT IS HEREBY ORDERED that plaintiff's June 8, 2006, motion for
6 transcripts is denied.

7 Dated: July 13, 2006

8 /s/ Garland E. Burrell, Jr.
9 GARLAND E. BURRELL, JR.
10 United States District Judge

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